



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

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December 12, 2023

**BY ECF**

Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Nunez, et al. v. City of New York et al.*, 11-cv-5845 (LTS)

Dear Chief Judge Swain:

Defendants, the City of New York (“City”) and Department of Correction (“DOC” or “the Department”) (collectively “defendants”), write in response to the Court’s December 11, 2023 Order requiring the presence of former Commissioner, and current Assistant Deputy Mayor Louis Molina at the Status Conference scheduled for December 14, 2023. Dkt. No. 640. Defendants respectfully request that the Court allow Assistant Deputy Mayor Molina to appear at the conference remotely, either by video or telephonic means. Upon information and belief, Assistant Deputy Mayor Molina, will be outside of New York State on the date of the conference due to a prearranged family matter, with travel arranged prior to the Court’s Order. He is available to appear remotely. Should the Court require, Defendants can provide documentation confirming this prearranged travel to the Court *ex parte*, via sealed filing in advance of the December 14, 2023 conference. Plaintiffs’ class, S.D.N.Y., and the Monitor take no position on this request.

We thank the Court for its consideration of this matter.

Respectfully submitted,

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John Schemitsch

cc: BY ECF  
*All counsel of record*